

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of  
**RYNCARZ, A.**

Examiner: **SISSON, B.**

Art Unit: **1634**

Application No.: **08/791,240**

Filed: **January 30, 1997**

Title: **POSITIVE CONTROLS IN  
POLYNUCLEOTIDE  
AMPLIFICATION**

**TELEFAX CERTIFICATE**

I hereby certify that this correspondence is being  
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Commissioner for Patents, Washington, D.C. 20231,  
on

*Nov. 21, 2002*  
Date of Transmission

*D. L. Rughlen*  
Signature

**AMENDMENT UNDER 37 CFR § 1.111**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the outstanding Office Action dated May 22, 2002 and due for response on August 22, 2002, and in accordance with 37 CFR § 1.111, please amend the above-identified Application as follows. Applicant files concurrently herewith a Petition for three (3) months extension of time, up to and including November 22, 2002, and the required fee.

In the Claims:

Please amend Claims 1, 21, 25, 39, 59, and 60 as follows:

1. (Twice Amended) In a method for forming multiple copies of a target sequence of a target polynucleotide, said method comprising the steps of combining a sample with reagents for forming said multiple copies, subjecting said sample to polynucleotide amplification conditions sufficient to form the multiple copies if the target sequence is present in said sample, said reagent comprising an oligonucleotide primer and polymerase; and forming an extension product of the oligonucleotide primer at least along said target sequence, said extension product being a complement of said target sequence, the improvement which comprises forming said extension product in the presence of a control polynucleotide to which said oligonucleotide primer hybridizes except for a 3'-mismatch on said oligonucleotide primer, under polynucleotide amplification conditions wherein the extension of

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